

Application No. 10/651,853
Attorney Docket No. 89008.000007

REMARKS

Reconsideration of this application is respectfully requested in light of the above amendments and the following remarks. After the amendments detailed above, claims 5-17 are pending in this application. In particular, claims 5, 9 and 14-16 have been amended, claims 1-4 have been canceled, and claims 5-13 and 17 have been maintained in their previous form. No new claims have been added.

I. Discussion of Rejected Claims

Claims 1-4

Claim 1-4 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,806,847 to Nixon. This rejection is moot as claims 1-4 have been canceled.

Claims 5-8 and 9-13

Claims 5 and 9 were also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,806,847 to Nixon. The Examiner's rejection, however, is apparently built upon the faulty assumption that a graphical display is "a virtual machine." While a graphical display can be any electronic display that enables the display of textual and/or graphical information, a virtual machine, as disclosed and claimed in the present application, is physically distinct and performs a different function from a graphical display.

"Anticipation requires the disclosure in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)). As set forth below, Nixon fails to disclose at least one element recited in each of the remaining claims.

As described and claimed in the present application, a virtual machine may be situated within an enclosure along with a PM (personality module) Manager (Figure 2). The virtual machine incorporates a programmable logic controller (PLC) giving a user the flexibility to deal with a variety of situations based on information received from field devices and inputs/outputs (paragraph 0074). When a user wants to modify the

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parameters of the field devices to make an access control system operate in accordance with the user's own criteria, customized logic scripts may be generated and stored locally at the enclosure (paragraph 0071, lines 9-13; paragraph 0075, lines 14-15). The logic scripts generally provide functionalities to field devices and inputs/outputs as to what actions are to be taken if certain events occur (paragraph 0072, lines 16-18). For example, a logic script can be defined so that when a disabled person swipes his or her card to get access through a door, the door will remain open longer (paragraph 0072, lines 18-22). These user-defined logic scripts for controlling one or more of the field devices and inputs/outputs are dynamically propagated to the virtual machine through the PM Manager (paragraph 0075). Once the logic scripts are available to the virtual machine, the virtual machine can run these user-defined logic scripts for controlling the field devices without further user input or control (paragraph 0075). In other words, the virtual machine acts like a stand-alone system without having to receive input or feedback from the client, database, or the server in executing or performing the customized logic scripts. Unlike a virtual machine, a graphical display cannot execute or perform logic scripts as recited in each independent claim of the present application.

Accordingly, the present claims are patentably distinct as written, and the rejection of these claims under Section 102 must be withdrawn. Specifically, claim 5 recites at least the following element: "a virtual machine, incorporating a programmable logic controller, residing on the personality module, the virtual machine designed to execute the custom logic scripts." Likewise, claim 9 recites at least the following element: "a virtual machine, incorporating a programmable logic controller, for performing the logic scripts." Nixon, in contrast, discloses a display that may be any electronic display that enables the display of textual and/or graphical information (col. 18, lines 36-37). A graphical display provides information to the user by the hand-held computer (col. 18, line 63 – col. 19, line 2). For example, the graphical display can provide performance information (Figure 11), detailed module information (Figure 12), or detailed block information (Figure 13). The graphical display provides information that enables the user to control the manner in which the information will be displayed by the hand-held computer (col. 19, lines 9-13). Accordingly, the graphical display of Nixon merely displays information to the user but does not and cannot manipulate or process any information itself. Thus, the Examiner's position that the

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graphical display of Nixon is designed to execute the custom logic scripts or perform the logic scripts is simply not possible. As set forth above, graphical displays are not virtual machines that can execute logic scripts. Graphical displays do not incorporate programmable logic controllers and therefore cannot perform logic scripts as do the virtual machines of the present application. Since Nixon fails to expressly or inherently disclose each element in claims 5 and 9, and specifically because Nixon does not expressly or inherently disclose a virtual machine, incorporating a programmable logic controller, as recited in claims 5 and 9, the Section 102 rejection of claims 5 and 9 must fail. In addition, since claims 6-8 and 10-13 depend from and add further limitations to claims 5 and 9, respectively, the rejection of these claims is also overcome. Therefore, claims 5-8 and 9-13 are patentably distinct as written, and the rejection of these claims under Section 102 should accordingly be withdrawn.

Claims 14-15 and 16-17

Claims 14 and 16 were also rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,806,847 to Nixon. Applicants have amended both claims 14 and 16 to recite "performing the user-defined logic scripts with a virtual machine incorporating a programmable logic." Applicants have also amended claims 14 and 15 for grammatical reasons and not for reasons related to patentability. The amendments are consistent with the previous argument that Nixon does not expressly or inherently disclose a virtual machine as in claims 14 and 16. See discussion *supra*. Since Nixon fails to expressly or inherently disclose each element recited in amended claims 14 and 16, Applicants thus assert that Nixon does not anticipate these claims. And since claims 15 and 17 depend from and add further limitations to claims 14 and 16, respectively, the rejection of claims 15 and 17 is also overcome. Therefore, claims 14-17 are patentably distinct as written, and the rejection of these claims under Section 102 should accordingly be withdrawn.

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II. Conclusion

Original claims 5 and 9 and amended claims 14 and 16 patentably define the present invention over the cited reference and are now in condition for allowance. Since claims 6-8, 10-13, 15, and 17 depend from and further limit independent claims 5, 9, 14, and 16, these claims are also in condition for allowance.

It is respectfully submitted that the application is now in condition for allowance and, accordingly, reconsideration and allowance are respectfully requested. Should any questions remain regarding the allowability of the application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

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